

REMARKS

In the Final Office Action, the Examiner rejected claims 1-28. By the present Response, Applicant has amended independent claims 1, 9, and 20. Upon entry of these amendments, claims 1-28 will remain pending in the present patent application. In view of the foregoing amendments and the following remarks, Applicant respectfully requests reconsideration and allowance of all pending claims.

Summary of Embodiments of the Claimed Subject Matter

Prior to addressing the Examiner's rejections, Applicant respectfully provides the following summary of exemplary embodiments of the present technique. Respectfully, Applicant asserts that the following summary will assist in advancing prosecution of the present application to allowance.

In accordance with certain embodiments, the present technique provides novel approaches to multilingual control and monitoring of industrial and automation systems. *See* Application, p. 2, ll. 11-17. In an exemplary embodiment, the present technique provides a control and monitoring system 10—which includes a plurality of components 32 that may take various forms—that is in communication with a monitoring station 18 via a network 14. *See id.* at p. 5, ll. 15-25. Certain of these components 32 include memory objects 80 that are local to the component 32 itself. *See id.* at p. 9, ll. 22-25. As an example, these memory objects 100 can include data related to the identity of the component, including the manufacturer as well as capabilities of the component, for instance. *See id.* at p. 11, ll. 19-22.

As a practical matter, polling the local memory objects 100 within the components 32 facilitates development of real-time representation of the system. *See* Application, p. 15, ll. 20-24. For example, the monitoring station 18 can execute software that polls the components and that generates user viewable representations based on the identity information gleaned from the local memory objects 100 in the

components 32. *See id.* at p. 14, ll. 5-15. Thus, the monitoring station 18 is capable of developing the appropriate view without requiring prior knowledge of the system 10. For instance, the monitoring station 18 may poll the network and learn that the system 10 includes three relays; and, in turn, the monitoring station builds an appropriate view for three relays. At a later point, if one of the relays is removed, a polling of the system 10 would elicit that only two relays are present. In response, the monitoring station 18 would present a view appropriate for two relays. Thus, with the exemplary embodiment, the views displayed at the monitoring station 18 are commiserate with the actual components in the system at the time the view is built. In other words, the view is a real-time representation of the system, and is based on identity information learned from the component itself.

Additionally, the exemplary embodiment facilitates multilingual representations of the views at the monitoring station 18, by accessing language entries stored in a database 96. For example, if a user selects a desired language, such as Spanish, from a drop down menu, the monitoring station 18 automatically draws all appropriate textual labels, descriptions, headings, and so forth from the appropriate entries 188 of the database 96. *See Application*, p. 19, ll. 5-10. Advantageously, the exemplary embodiment facilitates switching between languages as desired during operation of the system, and without interrupting other functions of the system, such as real-time monitoring and control. *See id.* at p. 19, ll. 11-15.

With this in mind, Applicant addresses the Examiner's rejections in more detail below.

Rejections Under 35 U.S.C. § 102

In the Final Office Action, the Examiner rejected claims 9-12, 16-20, 22-24, and 26-28 under 35 U.S.C. § 102(a) as anticipated by the Tkacs et al. reference (U.S. Patent No. 5,526,268; hereinafter "Tkacs"). Applicant respectfully asserts, however, that the

pending claims recite feature not found in Tkacs and, thus, are patentable over this reference.

Anticipation under Section 102 can be found only if a single reference shows exactly what is claimed. *Titanium Metals Corp. v. Banner*, 778 F.2d 775, 227 U.S.P.Q. 773 (Fed. Cir. 1985). For a prior art reference to anticipate under Section 102, every element of the claimed invention must be identically shown in a single reference. *In re Bond*, 910 F.2d 831, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). Moreover, the prior art reference also must show the *identical* invention “*in as complete detail as contained in the ... claim*” to support a *prima facie* case of anticipation. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 U.S.P.Q. 2d 1913, 1920 (Fed. Cir. 1989) (emphasis added). Accordingly, Applicant needs only point to a single element not found in the cited reference to demonstrate that the cited reference fails to anticipate the claimed subject matter.

Amended Independent Claim 9 and the Claims Depending Therefrom

Respectfully, Applicant submits that Tkacs does not disclose, among other elements, the following features of amended independent claim 9:

a plurality of control and monitoring components configured to control or monitor application of electrical power to a load, and including at least data identifying the components stored in the stored in the respective components;

...

a monitoring station coupled to the data network and configured to access the parameter data and the identifying date from the components; and

a plurality of monitoring representations built in real-time based upon the identifying data and viewable on the monitoring station and including data about components and component status parameters based upon the parameter data, the representations including textual labels from the database in a desired language from the plurality of languages for display in the monitoring screens.

(Emphasis added.) Instead, Tkacs discloses an assembly in which the monitoring/control processor 24 must have pre-developed knowledge of the various components in the system to provide an appropriate display at the monitoring station. In Tkacs, the term “process diagram” describes a graphic depiction of the plant or process—or other data—that is displayed on a CRT. *See* Tkacs, col. 6, ll. 64-66. The information that is included in the process diagram 32 is provided to processor 24 by memory 44. *See id.* at col. 6, ll. 40-43. Specifically, Tkacs states that “[p]rocessor 24 is coupled to a memory in which data is stored defining the text and graphics included in the diagrammatic display 32 during predetermined processes conditions.” *Id.* (emphasis added.) Thus, the monitoring display built by Tkacs depends on the manually inputted data located in the database 44, and is not based on data provided by the components.

As a practical matter, this reliance on manually inputted data prevents the Tkacs system from building an up-to-date display of its system. In other words, if a component of the Tkacs system were changed or replaced, the monitoring display would be unaware of this change. Instead, the Tkacs system would require the database 44 be manually updated for a change in the display information to occur. The sensors 40 of Tkacs are the only devices that provide real-time information about the process. And although these sensors may provide operational data regarding the process, they in no way provide identifying data of the components of the process, as is recited in amended claim 9. Nor does this sensor data provide for a monitoring representation that is built in real-time and that is based on this identifying data, as is also recited in the current claim.

Therefore, Applicant respectfully asserts that Tkacs does not anticipate independent claim 9 and its respective dependent claims 10-19. With the foregoing in mind, Applicant respectfully requests reconsideration and allowance of claims 9-19.

Amended Independent Claim 20 and the Claims Depending Therefrom

Respectfully, Applicant submits that Tkacs does not disclose, among other elements, the following features of amended independent claim 20:

accessing component status and identity data from a plurality of electrical components of a control and monitoring system via a data network, each component storing its respective identity data;

...

displaying a plurality of monitoring representations for the components, built in real-time based on the status and identity data, including presentations of component status data and textual labels in a desired language of the plurality of languages accessed from the database.

(Emphasis added.) Instead, as discussed above, Tkacs merely discloses a system in which the displays are based upon data found in a database 44, and this data is manually inputted. Thus, Tkacs could not display a monitoring presentation for the components that is built in real-time. Moreover, only the sensor 40 is capable of receiving information about the downstream process in Tkacs. Although these sensors 40 of Tkacs may provided operational data, they in no way provide identity data. Along this same vein, nothing in Tkacs suggests that the components of the process even include identity data. Accordingly, Applicant respectfully asserts that the pending claim recites a number of features not disclosed by Tkacs.

As such, Applicant respectfully asserts that Tkacs does not anticipate independent claim 20 and its respective dependent claims 21-28. With the foregoing in mind, Applicant respectfully requests reconsideration and allowance of claims 20-28.

Rejections Under 35 U.S.C. § 103

In the Final Office Action, the Examiner rejected claims 1-8, 13-15, 21, and 25 under 35 U.S.C. § 103(a) as obvious in view of various references. Applicant, as discussed further below, respectfully asserts that the instant claims are not obvious in view of the cited references, taken alone or in combination.

The burden of establishing a *prima facie* case of obviousness falls on the Examiner. *Ex parte Wolters and Kuypers*, 214 U.S.P.Q. 735 (PTO Bd. App. 1979). Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention absent some teaching or suggestion supporting the combination. *ACS Hospital Systems, Inc. v. Montefiore Hospital*, 221 U.S.P.Q. 929, 933 (Fed. Cir. 1984). Accordingly, to establish a *prima facie* case, the Examiner must not only show that the combination includes *all* of the claimed elements, but also a convincing line of reason as to why one of ordinary skill in the art would have found the claimed invention to have been obvious in light of the teachings of the references. *Ex parte Clapp*, 227 U.S.P.Q. 972 (B.P.A.I. 1985).

First Rejection Under Section 103

In the Final Office Action, the Examiner rejected claims 1-7 under 35 U.S.C. § 103(a) as obvious in view of Tkacs and the Bapat reference (U.S. Patent No. 4,916,610). Applicant respectfully assert, however, that the pending claims recite feature not found in Tkacs or Bapat, and, thus, are patentable over this reference.

For example, Applicant respectfully assert that Tkacs or Bapat, whether taken alone or together, do not disclose, among other features, the following recited features:

a plurality of monitoring screens viewable on the monitoring station and including representations of component designations and component status parameters based upon monitored data collected by the monitoring station via the data network from the components in which identifying component data is stored, the screens including

textual labels for the representations; wherein the monitoring station is configured to build a view of the components in real-time based upon the identifying component data and to access textual labels in a desired language from the database for display in the monitoring screens based upon the identifying component data collected from the component.

(Emphasis added.) Instead, as discussed above, Tkacs merely discloses a system in which the displays are based upon data found in a database 44, and this data is manually inputted. Thus, Tkacs could not display a monitoring presentation for the components that is built in real-time. Moreover, only the sensor 40 is capable of receiving information about the downstream process in Tkacs. Although these sensors 40 of Tkacs may provided operational data, they in no way provide identity data. Along this same vein, nothing in Tkacs suggests that the components of the process even include identity data.

Furthermore, neither the Examiner nor the Bapat reference itself suggests that it is capable of obviating the deficiency of Tkacs discussed above. Indeed, the Examiner relies on Bapat simply for disclosure related to “*fields* that can contain sufficient storage that can be allocated.” See Final Office Action mailed January 13, 2005, p. 6 (emphasis in original).

Accordingly, Applicant respectfully asserts that the cited references, taken alone or in combination, do not disclose all of the features recited in the instant claims. Accordingly, Applicant respectfully asserts that the independent claim 1 and its respective dependent claims 2-7 are not obvious in view of the cited references. With the foregoing in mind, Applicant respectfully requests reconsideration and allowance of the instant claims.

Second Rejection Under Section 103

In the Final Office Action, the Examiner rejected dependent claims 8 and 21 under 35 U.S.C. § 103(a) as obvious in view of the Tkacs reference, the Bapat reference, and the Bargh et al. reference (U.S. Patent No. 6,212,491). Applicant, however, respectfully asserts that the instant claims are patentable over the cited references taken alone or in combination.

Applicant notes that dependent claims 8 and 21 depend from independent claims 1 and 20, respectively. With this in mind, Applicant respectfully reiterates that Tkacs fails to disclose all of the features recited in the instant claims. Furthermore, the Bapat reference and the Bargh et al. reference do not obviate the deficiencies of Tkacs discussed above. Moreover, Applicant respectfully asserts that dependent claims 8 and 21 are not only patentable for their respective dependencies on allowable base claims, but also by virtue of the additional features recited therein. With the foregoing in mind, Applicant respectfully requests reconsideration and allowance of the instant claims.

Third Rejection Under Section 103

In the Final Office Action, the Examiner rejected dependent claims 13-15 and 25 under 35 U.S.C. § 103(a) as obvious in view of Tkacs, the Bapat reference, and the Swales et al. reference (U.S. Patent No. 6,151,625). Applicant, however, respectfully asserts that the instant claims are patentable over the cited references taken alone or in combination.

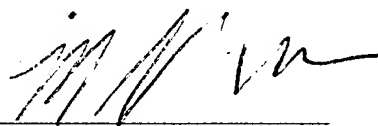
Applicant notes that dependent claims 13-15 and 25 depend from independent claims 9 and 20, respectively. With this in mind, Applicant respectfully reiterates that Tkacs fails to disclose all of the features recited in the instant claims. Furthermore, the Bapat and Swales et al. references fail to obviate the deficiencies of Tkacs discussed above. Moreover, Applicant respectfully asserts that dependent claims 13-15 and 25 are not only patentable for their respective dependences on allowable base claims, but also by

virtue of the additional features recited therein. With the foregoing in mind, Applicant respectfully requests reconsideration and allowance of the instant claims.

Conclusion

In view of the remarks and amendments set forth above, Applicant respectfully requests allowance of the pending claims. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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Manish B. Vyas
Reg. No. 54,516
FLETCHER YODER
P.O. Box 692289
Houston, TX 77269-2289
(281) 970-4545

CORRESPONDENCE ADDRESS
ALLEN-BRADLEY COMPANY, LLC
Patent Department/704P Floor 8 T-29
1201 South Second Street
Milwaukee, Wisconsin 53204
Attention: Mr. Alexander Gerasimow
Phone: (414) 382-2000